



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CRH:AFM
F. #2015R01725

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 21, 2022

By ECF

The Honorable Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Dmitry Ukrainskiy et al.
Docket No. 16-mj-295

Dear Judge Pollak:

The government writes in order to provide information to the Court about the above-captioned case and the arraignment of the defendant, Dmitry Ukrainskiy, which is scheduled to take place today.

By way of background, the defendant and two codefendants were charged on April 25th, 2016 with bank fraud, wire fraud, conspiracy to commit bank and wire fraud, money laundering, and money laundering conspiracy by complaint sworn before the Honorable Vera M. Scanlon. On that same day, Judge Scanlon signed a warrant for the defendant's arrest. On July 15, 2016, Thai authorities took the defendant into custody pursuant to a provisional arrest warrant granted at the request of the United States. The defendant contested his extradition, but was ultimately extradited by the Thai authorities, who removed the defendant from Thailand to Guam on June 15, 2022. The defendant was flown in FBI custody from Guam to John F. Kennedy International Airport via Honolulu and Los Angeles. He arrived at JFK airport at night on June 17, 2022.

The defendant was scheduled to be arraigned on June 19, 2022. However, due to an oversight on the part of the government, the defendant was not transported to the courthouse on that date, and so was not able to join a Zoom call in order to be arraigned. Sabrina Shroff was the duty attorney under the Criminal Justice Act ("CJA") on June 19.¹

¹ The Federal Defenders have a conflict with representation of this defendant due to a prior representation of one of Ukrainsky's co-conspirators.

Because no hearing took place on that date, the Court did not appoint Ms. Shroff to represent the defendant.

The government's position is that the defendant should be arraigned today, absent leave of the Court. See Fed R. Crim P. 5(c)(4) (directing that initial appearance for extradited defendant occur "in the district . . . where the offense is charged"); Fed. R. Crim. P. 5(a)(1)(A) (directing that arrested defendant be arraigned "without unnecessary delay"). Ms. Shroff has advised Felix Chin that she is not available until 4:15 today. The government takes no position as to whether Ms. Shroff (if available) or another CJA duty attorney should represent the defendant at such a proceeding.

To the extent that the Court does not arraign the defendant today, the government requests that the Court issue an order to that effect, and further order that the defendant be remanded until the adjourned date.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
Alexander Mindlin
Assistant U.S. Attorney
(718) 254-6433

cc: Sabrina Shroff, Esq. (by ECF)